

REMARKS

**Introduction**

This paper is submitted in response to the March 9, 2005 Final Office Action for the above-identified patent application. Claims 10-29 are pending and have been rejected.

Applicants have amended the specification to correct typographical errors and improve its form. No new matter has been added thereby.

Applicants have amended claim 1 and claim 20 to recite that the carbon of the monolithic porous carbon structure is not bound to silica. No new matter has been added thereby, and support for the amendment is found throughout the specification, *e.g.*, on page 14, line 29 to page 15, line 4; page 16, lines 24–28, page 23, line 15 to page 24, line 2; and page 25, line 1 to page 33, line 27 of the specification.

Applicants respectfully request entry of the amendments, which introduce no new matter.

**The Rejections Under 35 U.S.C. §102(b) Should Be Withdrawn**

The Examiner has maintained his rejection of claims 10-29 under 35 U.S.C. §102(b) as being unpatentable in view of International Publication WO 99/62616 (“the ‘616 reference”). The Examiner states that claims 10-29 are “clearly anticipated by both the filter element and the filter apparatus containing such element of WO99/62616.” *See* page 2 of the March 9, 2005 Office Action. In particular, the Examiner states that the ‘616 reference discloses a filter element that is defined as a “monolithic” structure that is “a single piece, not granular

and not composed of particles bound together by a binder, etc; it in the form of a coherent solid structure.” See page 3 of the March 9, 2005 Office Action. Applicants traverse.

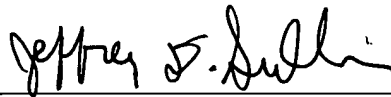
Applicants respectfully submit that the ‘616 reference does not disclose a filter element for removing contaminants from gases comprising a monolithic porous carbon structure as claimed in the instant invention. The ‘616 reference teaches at most a “stable monolithic porous carbon structure ... formed by *coating a substrate formed of silica fibres* with a resin” (emphasis added). See Abstract; page 1, line 3 of the ‘616 reference. Indeed, the ‘616 reference discloses as the invention a “carbon structure which comprises a porous silica substrate having carbon bound to at least the surface of the substrate.” See page 2, lines 13-15 of the ‘616 reference. By contrast, the instant invention is drawn to monolithic porous carbon filters, which are made from carbon only and not by binding granular carbon to a silica substrate. The ‘616 reference in no way suggests such filter preparation, but rather teaches directly away from it. Moreover, the instant specification already acknowledged that a carbon structure formed by binding carbon to a silica substrate has several disadvantages, including a low maximum carbon content in the finished carbon monolith, poor or no electrical conductivity and reduced thermal capacity. See, e.g., page 11, line 21 to page 12, line 19 of the instant specification. Because the ‘616 reference does not teach or suggest the claimed subject matter, applicants respectfully request that the rejection of claims 10-29 under 35 U.S.C. §102(b) be withdrawn.

**Conclusion**

Applicants believe that the application is in condition for allowance and respectfully request favorable action to that end. The Examiner is kindly invited to contact the undersigned if helpful to advance the application to allowance.

A two (2) month extension to the time for responding to the Office Action is respectfully requested and the appropriate fee is enclosed. Applicants believe that no additional fees are due. In the event that fees are due, however, the Director is hereby authorized to charge payment of any such fees to Deposit Account No. 02-4377.

Respectfully submitted,



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